



# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

## REGION 6

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### (Addendum)

## **REGION 6 ENVIRONMENTAL JUSTICE ANNUAL REPORT: STATUS OF ENVIRONMENTAL JUSTICE**

(last updated 2/1/99)

### **Calcasieu Parish Initiative Update**

EPA has scheduled its first quarterly meeting with Calcasieu League for Environmental Action Now (CLEAN) and other community groups for early March, 1999 in Lake Charles. Meeting participants will include Dale Givens, Secretary of Louisiana Department of Environmental Quality (LDEQ). The Region agreed to meet at least 4 times over the next year with citizens to discuss environmental and public health issues.

### **Langston University**

On September 24, 1997, EPA signed a Memorandum of Understanding (MOU) with Langston University. Langston University is located in Langston, Oklahoma and is one of twenty-one universities in Region 6 among national Historically Black Colleges and Universities (HBCU).

Region 6 formed a Langston Work Group to work with Langston officials to implement the Agency's MOU with Langston University. The work group comprises representatives from the following Divisions: Water Quality, Multimedia Planning and Permitting, Superfund, Compliance Assurance and Enforcement, Management, and Office of External Affairs.

Langston's main objective is to prepare their students for employment in environmental science related fields and prepare them to pursue advanced environmental science related degrees. In addition, the University would like to strengthen their scientific stature in the community and academic arena.

### **Texas and New Mexico Colonias Program**

Public health and environmental problems, created by the lack of safe drinking water and sewer services, are affecting unincorporated communities located along the U.S./Mexico Border. These small communities, referred to as "colonias," are often highly impoverished areas, characterized by substandard housing and poor living conditions. The State of Texas has identified 1,500 Colonias representing 350,000 people. The State of New Mexico estimates 20,500 people live in Colonias.

The Regional Colonia Assistance Program is an important part of the U.S./Mexico Border environmental program. EPA has provided grant funds to Texas and New Mexico to assist with needs identified for wastewater and plumbing. Beginning in fiscal year 93 through 98, Congress appropriated a total of \$315.3 million for Texas and \$20.2 million for New Mexico. To date, the total commitments for Wastewater projects that are completed or currently underway represent more than \$230 million spent in Texas and \$8 million in New Mexico. More than 150,000 people living in the Colonias will benefit from these programs.

The Regional Colonia Enforcement Initiative is committed to look for cases where developers are responsible for contamination of underground sources of drinking water. Colonia residents may be promised sanitary services, at time of purchase, but never receive them. This Results in constructed substandard waste water facilities. Groundwater sources are readily contaminated by the poor sanitary conditions associated with substandard waste water facilities. Using the Emergency Powers of Safe Drinking Water Act, federal action is taken. An example is the 1997 case, where in conjunction with the Department of Justice, EPA/DOJ filed a civil Complaint and Consent Decree against the developer when it was determined that public health was at risk. The developer agreed to provide: (1) residents with immediate/temporary access to a public water source, and; (2) a permanent connection to a public water. As of January 1, 1999, 86 out of 88 residences are being served by a public water system.

### **Pilgrims Pride Walker Creek Project**

Permits Branch activities regarding the Pilgrim's Pride Walker Creek Project in Camp County, Texas, are leading towards successful resolution of National Historic Preservation Act issues between Pilgrim's Pride chicken processing industrial facility, Texas Historical Commission, and the Caddo Indian Tribe of Oklahoma.

While details are not yet resolved, EPA has worked jointly with all parties and has used the permitting process to influence Pilgrim's Pride to agree to conditions established by Texas Historical Commission and the Caddo Tribe for preservation of both identified and suspected funerary objects and possible human remains at the Walker Creek construction site.

### **Improving the Safety of Tribal Public Water Systems**

As part of the Direct Implementation Program for more than 65 Tribal public water systems regulated under the Safe Drinking Water Act (SDWA), Region 6 provides several types of assistance and support to Tribal governments. This assistance includes both direct technical assistance from program and contract staff on drinking water issues (such as performing sanitary surveys of water systems and overseeing compliance with the SDWA), and indirect support through grant assistance for operator training, water quality analytical services, source water protection, and professional services dealing with the managerial and financial development of Tribal water utilities. The Region is also implementing its Tribal Set-Aside Program to provide grant assistance for the infrastructure needs within these Tribal public water systems. These grants will replace or rehabilitate existing Tribal water system facilities and/or equipment that is under-sized or has exceeded its useful service-life. The end result of all these assistance activities should further the public health protection of this important Tribal resource.

### **Community Based Environmental Protection and Customer Service**

During the year, technical assistance was provided to low income and minority communities in Oklahoma, Louisiana, and Arkansas through the Region's Community Based Environmental Protection (CBEP) program.

Examples of our assistance include: water/wastewater treatment and distribution, solid waste disposal and recycling, comprehensive planning, economic development, capital improvements, urban forestry, architectural landscape design, public education media: audio visual and brochures, wellhead protection, wetlands delineation, mapping, and inter-library publications research.

### **EPA versus Sewage and Water Board of New Orleans Consent Decree**

As part of the June 1998 Consent Decree entered into in this case credit was given to the Board for a supplemental environmental project which involved addressing water quality issues in Lake Pontchartrain in the area surrounding Lincoln Beach, an historically African-American recreational beach in New Orleans. The beach had been abandoned for many years; however, the Board, in concert with other New Orleans area organizations, proposed to rehabilitate the beach area and lake in order to allow recreational bathing. Given the location of the restoration area and the population and economic demographics of the surrounding area, this project was determined to have significant Environmental Justice aspects. The restored beach would provide both recreational opportunities and an environmental education resource for the local citizens.

### **Underground Injection Control Program on Indian Lands**

The Environmental Protection Agency (EPA) directly implements an Underground Injection Control (UIC) Program on Indian Lands in Region 6. The program includes: evaluating injection well permit applications to assure that underground injection is protective of drinking water resources, enforcing permit conditions and injection well regulations applicable to injection wells. The EPA regulates about 2750 injection wells on Indian lands in Region 6. Almost 2600 of these facilities are located on the Osage Mineral Reserve in Osage County, Oklahoma.

The areas covered by this program are generally low income rural areas and include Native American communities. Native American communities benefit from this program in that it protects their ground water resources from contamination from injection activities. Most use ground water as their sole source of water supply for domestic use and economic development.

### **Incorporating Environmental Justice into media programs**

The following Region 6 programs have incorporated environmental justice analyses into their outreach and regulatory communications to industries, State and local governments, environmental groups, and citizens. Each Region 6 Program accesses demographic information regarding population, proximity of residents to pollution sources, minority representation, and economic status of evaluated communities. Each EPA Program used the GIS (Geographic Information System) based Environmental Justice Index methodology. The methodology has been used to examine demographics for more than six thousand locations.

### **Lead Based Paint Program**

Lead based paint in older homes and urban apartments is a major source of lead exposure to children. African-American and Mexican-American children who reside in older and/or more urban dwellings, are more likely to be poisoned by lead. A targeting methodology was developed

to identify areas which have older homes, high population, high children densities, low income areas, and minority residents. Title X of the Real Estate Notification and Disclosure Rule requires EPA to provide compliance education to the regulated community. The Region's Lead Based Paint targeting methodology is used to locate areas in Region 6 where real estate agencies may have listing of older homes and the demographic vulnerabilities of many children, low income and minority residents.. Outreach efforts are then focused on real estate companies and residents in these areas. Available state information on elevated blood lead levels by zip code or county is being integrated into the methodology.

### **Federal Facilities Program**

Evaluation of environmental risks from federal facilities require assessments of several unique issues. Toxicities from spent munitions, low level nuclear waste, air and water emissions from aircraft operations and maintenance, and land destruction are a few. Part of the assessment of federal facilities includes the Region's Environmental Justice Index. The economics, housing, and minority representation of service personnel is different from the general population. The Region's EJ index is used to identify these different stressors and demographics.

### **Enforcement Targeting**

Enforcement targeting is a procedure which ranks industrial facilities as to the potential risk each facility may pose to human health and ecology. The methodology evaluates the demographics around a four mile radius of Toxic Release Inventory (TRI) industries. Each facility's chemical emissions to air and water are toxicologically ranked. The potential health impacts are added for facilities close to each other. Communities in close proximity to individual or clustered TRI industries are identified and ranked as to their potential for health impacts.

Because income often determines the obtaining of health insurance, frequency of physician visits, opportunity for preventive health care and healthy diets these same areas are evaluated using the Environmental Justice Index methodology. Those areas in Region 6 with higher Human Health Risk Index and Environmental Justice Index scores are targeted for inspection and enforcement activities.